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20 December 1957

0/I-243

MEMORANDUM FOR: Assistant Director, Research and Reports

THROUGH: Chief, Geographic Research

THROUGH: Chief, Geography Division

SUBJECT: Possible Soviet Territorial Gain

1. The International Conference Of Plenipotentiaries On The Law Of The Sea is to be held at Geneva, Switzerland for 9 weeks commencing 24 February 1958. At this writing Iran, one of the participating parties, is concerned about its common boundary with the Soviets on the Caspian Sea. Iran has informed our Embassy in Tehran that she has no assurance that the USSR supports a straight line boundary drawn between points where the land boundary intersects the coast on either side of the Caspian Sea. (Incoming State Telegram, Tehran, No. 1036,25 November 1957). Iranian vacillation on this problem, possibly as quid pro quo for other favors, opens the door for Soviet encroachment.

2. The fact is that the USSR for many years has regarded ".... the Caspian Sea as a sea which belongs to the USSR and Iran divided by a line, uniting the emersion points of the dry land boundaries between the USSR and Iran on the western and eastern shores of the Sea." This view is put forward in the definitive Soviet work entitled, The Problem Of Territorial Waters In International Law, by A. N. Nikolayev, edited by Member Correspondent of The Academy of Sciences S. A. Golunskogo, published by the State Publishing House of Judicial Literature, Moscow, 1954, pages 194-195. The view expressed in this official publication is based on USSR-Iran agreements made in 1921 and 1940.

3. The Caspian Sea boundary was not discussed in the Iranian-Soviet Convention of 2 December 1954 on Frontier and Financial Matters because the problem was solved, and no subsequent agreement has changed this situation.

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4. Nevertheless, the Iranians between 1954 and now have exhibited a curious and even suspicious attitude toward the Caspian Sea boundary. In 1955 the United States Embassy in Tehran received from Ambassador Hamid Sayah, Iranian negotiator of the 1954 Convention, a description of the Caspian Sea boundary which was identical with the USSR view described above, thus leaving no room for doubt that the Iranians were well informed and that no problem existed. Sayah added that in practice the Soviet Union had not taken any action indicating that it regarded the Caspian Sea south of the straight line boundary as anything but part of Iran. Curiously enough, however, Dr. Jalal Abdoh, Director General for Political Affairs of the Iranian Foreign Ministry added that if the question had arisen in the 1954 negotiations the Iranian Government was prepared, if necessary, to retreat to the position that the boundary followed the Iranian coastline. Dr. Abdoh at the time was heading a committee created for the specific purpose of deciding which of the two positions the Iranians should take should the question arise in the future. (State Despatch No. 397, Tehran, 1 March 1955, page 8). Evidently the question is to come up at the Geneva Conference of Plenipotentiaries On The Law Of The Sea.

5. It has been noted, both before and after 1954, that the USSR has disregarded the straight-line boundary on the Caspian Sea, not consistently, but whenever it suited her purpose.

6. If the Iranians retreat from the position of the legal straight line boundary and accept a boundary along the Iranian Coast, then the Soviets will have made the largest territorial gain since the end of World War II. Making such a gain at the expense of a Bagdad Pact member with the United States at the same conference table would produce tremendous impact.

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7. We conclude that there is a strong legal basis for the straight line boundary and that Iranian behavior on this problem is both weak and subject to suspicion.

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Chief, Near East-Africa Branch

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